DRAFT

ENVIRONMENTAL ASSESSMENT

CHECKLIST

Swinging Bridge Fishing Access Site – 2023 Flood Rehabilitation

April 19, 2023

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I. Compliance with the Montana Environmental Policy Act

Before a proposed *project* may be approved, environmental review must be conducted to identify and consider potential impacts of the proposed project on the human and physical environment affected by the project. The Montana Environmental Policy Act (MEPA) and its implementing rules and regulations require different levels of environmental review, depending on the proposed project, significance of potential impacts, and the review timeline. § 75-1-201, Montana Code Annotated ("MCA"), and the Administrative Rules of Montana ("ARM") 12.2.430, General Requirements of the Environmental Review Process.

FWP must prepare an EA when:

- It is considering a "state-proposed project," which is defined in § 75-1-220(8)(a) as:
  (i) a project, program, or activity initiated and directly undertaken by a state agency.
  (ii) … a project or activity supported through a contract, grant, subsidy, loan, or other form of funding assistance from a state agency, either singly or in combination with one or more other state agencies; or
  (iii) … a project or activity authorized by a state agency acting in a land management capacity for a lease, easement, license, or other authorization to act.
- It is not clear without preparation of an EA whether the proposed project is a major one significantly affecting the quality of the human environment. ARM 12.2.430(3)(a));
- FWP has not otherwise implemented the interdisciplinary analysis and public review purposes listed in ARM 12.2.430(2) (a) and (d) through a similar planning and decision-making process (ARM 12.2.430(3)(b));
- Statutory requirements do not allow sufficient time for the FWP to prepare an EIS (ARM 12.2.430(3)(c));
- The project is not specifically excluded from MEPA review according to § 75-1-220(8)(b) or ARM 12.2.430(5); or
- As an alternative to preparing an EIS, prepare an EA whenever the project is one that might normally require an EIS, but effects which might otherwise be deemed significant appear to be mitigable below the level of significance through design, or enforceable controls or stipulations or both imposed by the agency or other government agencies. For an EA to suffice in this instance, the agency must determine that all the impacts of the proposed project have been accurately identified, that they will be mitigated below the level of significance, and that no significant impact is likely to occur. The agency may not consider compensation for purposes of determining that impacts have been mitigated below the level of significance (ARM 12.2.430(4)).

MEPA is procedural; its intent is to ensure that impacts to the environment associated with a proposed project are fully considered and the public is informed of potential impacts resulting from the project.

II. Background and Description of Proposed Project

Name of Project: Swinging Bridge Fishing Access Site – 2023 Flood Rehabilitation (Riverbank, Roadway and Parking Lot Improvements)

Fishing Access Sites (FAS) are managed by Montana Fish, Wildlife & Parks (FWP) for the public to utilize for a variety of recreational opportunities. The Swinging Bridge FAS provides access to the Stillwater River for outdoor activities such as floating, fishing, birding, camping, and general day use.

Because of impacts created by a significant Stillwater River flooding event that occurred in 2022, the general infrastructure, boat ramp, and overall physical environment at Swinging Bridge FAS are currently unsafe and generally unusable by the affected public. Both the streambank and FAS entrance road were eroded away

during the flood events. Further, the parking area and portions of the interior FAS roads had surface gravel washed away during the flood. The existing streambank is cobble with very little to no vegetation at a 2:1 slope or steeper. Large driftwood piles were deposited by the flood and are scattered throughout the site and must be cleaned up to accommodate the objectives of the proposed project. The latrine has not been accessible for maintenance vehicles since the flood. Signs were destroyed and fire rings were filled with silt or lost, and picnic tables were damaged, moved, or lost in the flood.

The proposed improvements would mitigate impacts to the affected road section by rebuilding a portion of the road necessary to provide safe access to the Stillwater River and full use of the Swinging Bridge FAS. The affected section of the riverbank proposed for restoration under the proposed action is smaller than the pre 2022 flood area. Minimizing encroachment back into the river would reduce impacts to the river and still allow for an armored access road. Portions of the road requiring new gravel would be repaired and the site would be cleaned up including debris piles, fire rings, and picnic tables. Access would be restored for maintenance vehicles to service the latrine, and signs would be replaced. See Appendix 1 for more detailed work plans for the proposed project.

All work is anticipated to be completed in a two-week time frame (weather dependent). Project work would require the use of appropriate heavy equipment and the work would be conducted by contracted services, as necessary, or FWP maintenance staff.

Affected Area / Location of Proposed Project:

- Legal Description
    - Latitude/Longitude: 45.58407 / -109.33195
    - Section, Township, and Range: Section 12, 03S, 19E
    - Town/City, County, Montana: Absarokee, Stillwater County, Montana
- Location Maps Figures 1, 2, and 3.

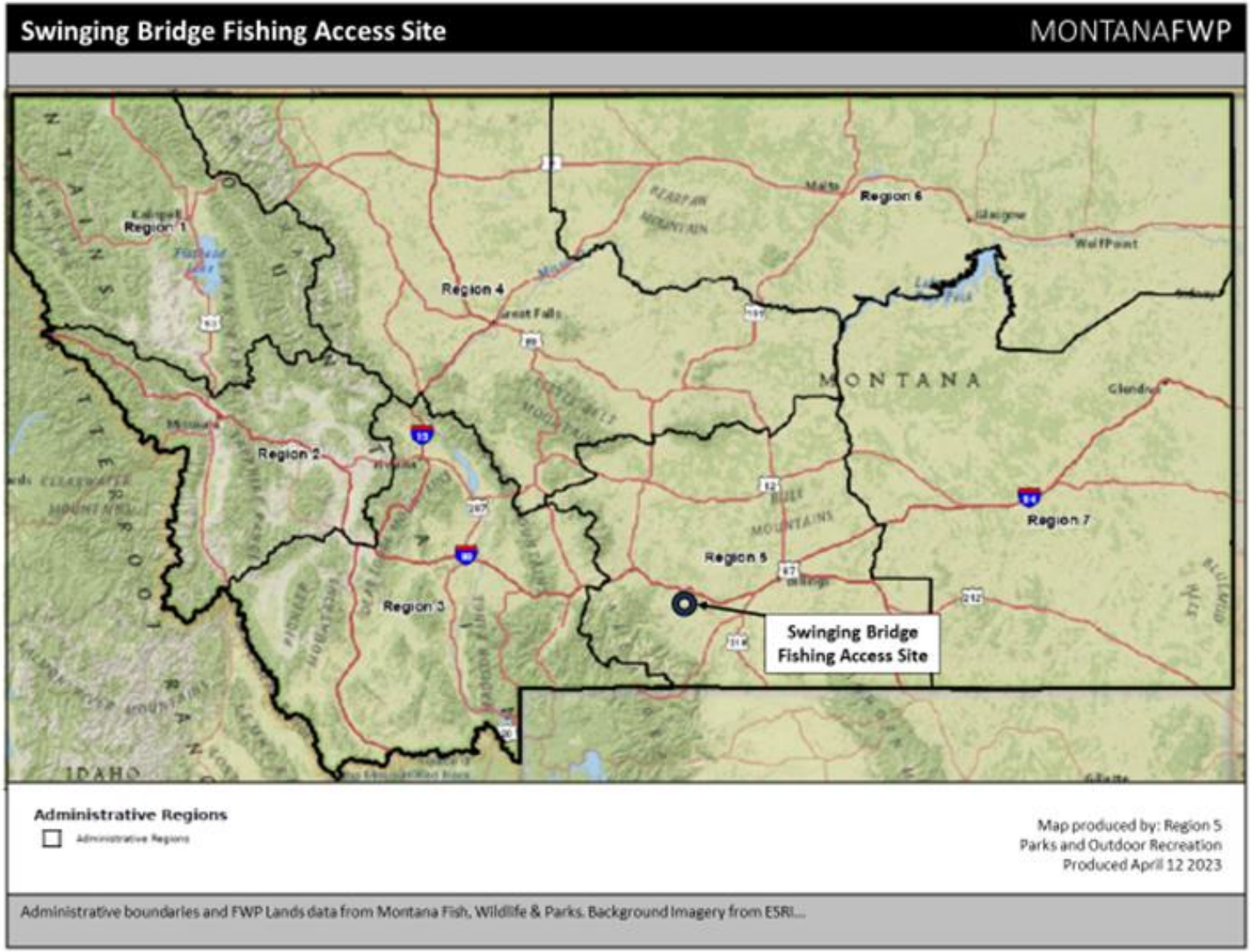


Figure 1. Swinging Bridge Fishing Access Site general location.

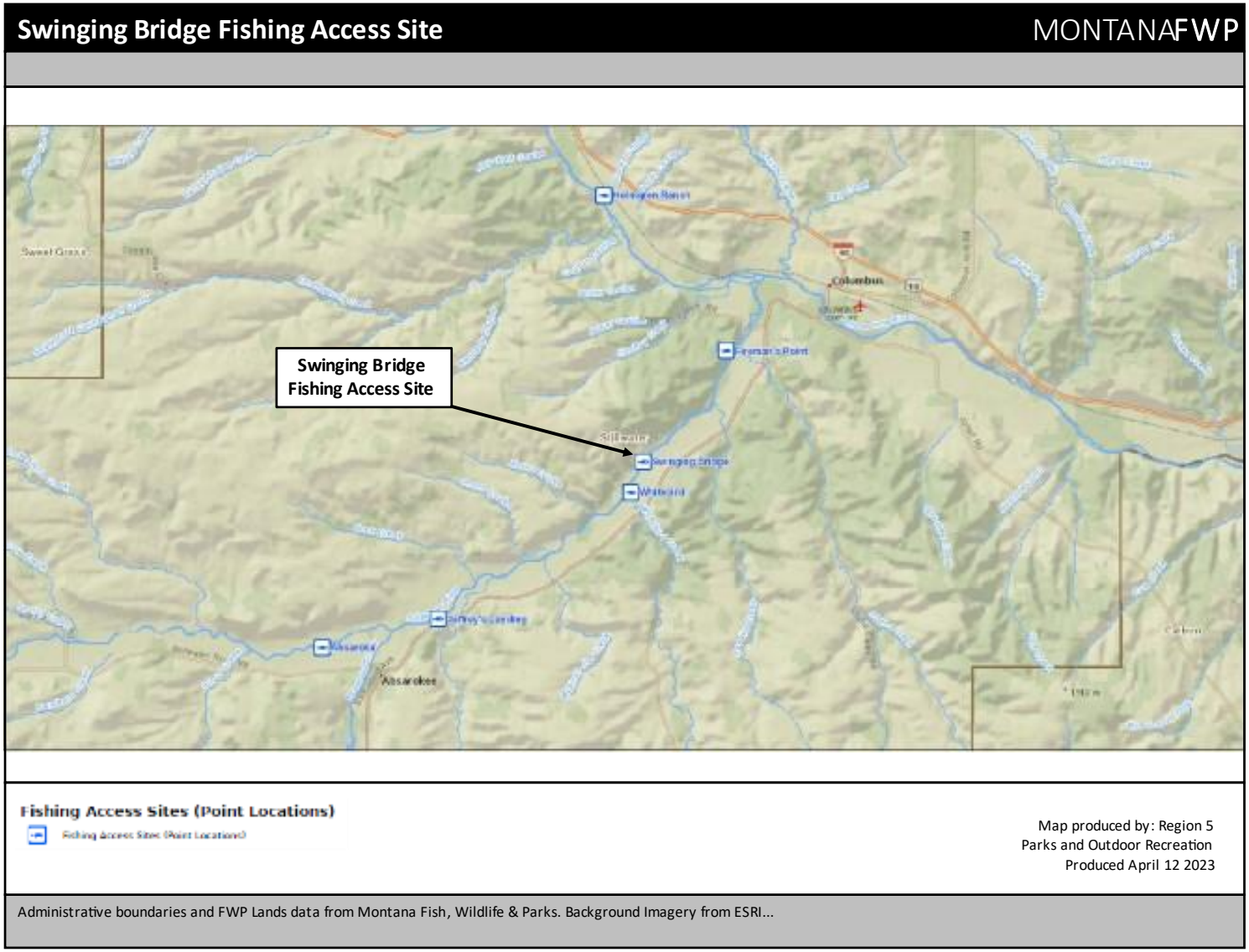


Figure 2. Swinging Bridge Fishing Access Site local reference.

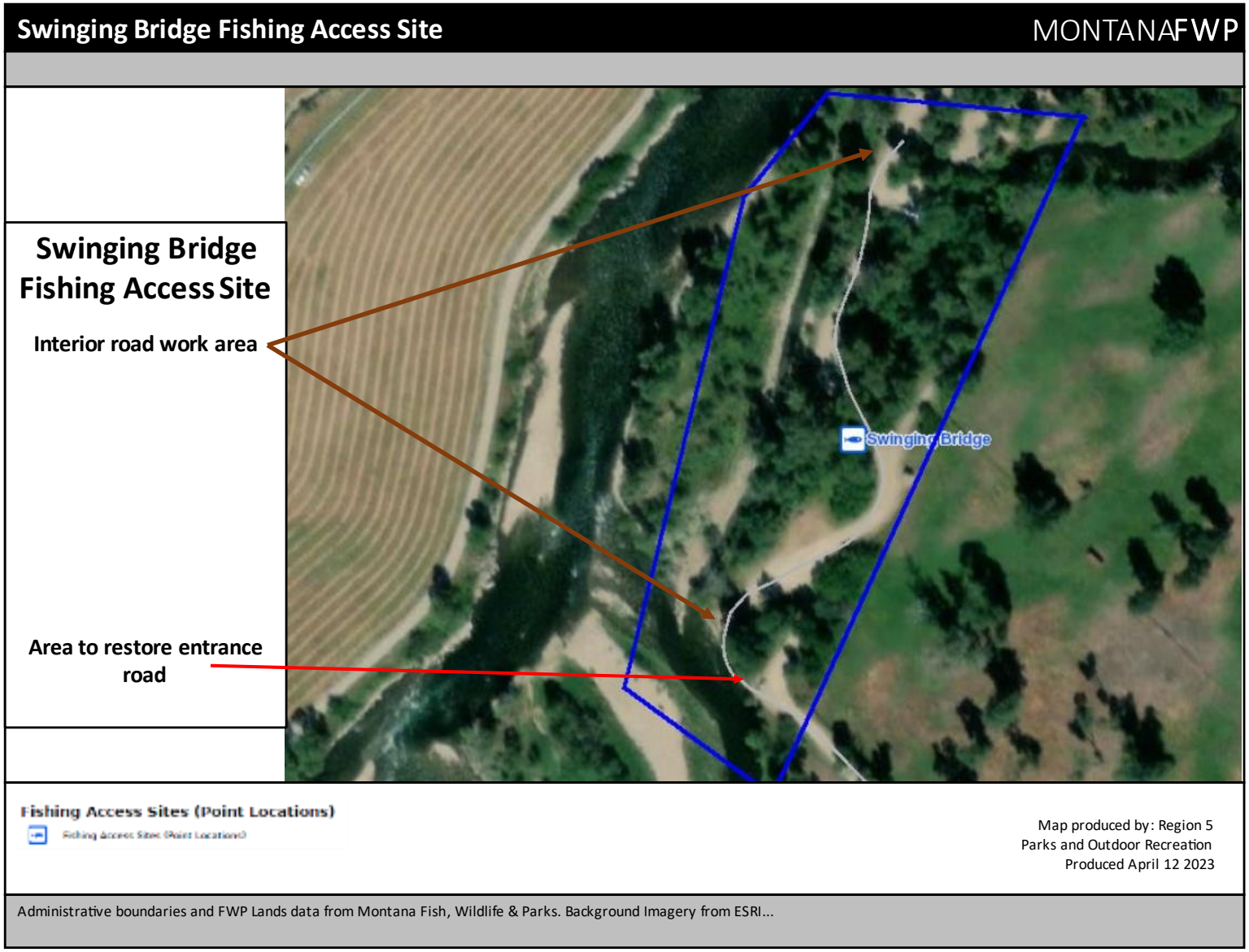


Figure 3. Swinging Bridge Access Site project location.

III. Purpose and Need

The EA must include a description of the benefits and purpose of the proposed project. ARM 12.2.432(3)(b). Benefits of the proposed project refer to benefits to the resource, public, department, state, and/or other.

Swinging Bridge FAS located north of Absarokee, Montana, was heavily impacted by the Stillwater River flood in June 2022. Currently the FAS is closed and there is no public access due to the damage sustained to the access road, parking area, and a portion of the streambank. Under the proposed action, FWP would rebuild the affected areas to provide the public with safe access and full use of the FAS. Appendix 1 has detailed plans for the site. The project consists of the following elements:

- Rehabilitating 210 linear feet of streambank located on the southwest side of the FAS;
- The streambank will be rebuilt with class III riprap for a width of 30 feet;
- Vegetation will be incorporated into the constructed streambank to reduce soil erosion and to provide bank stabilization and a more natural appearance;
- The project replaces road mix gravel on the access road (620 linear feet x 14 feet wide) as well as resurfacing the parking area (8,684 square feet) at a thickness of 8 inches;
- The proposed project is designed to meet 100-year flood event standards.

If FWP prepared a cost/benefit analysis before completion of the EA, the EA must contain the cost/benefit analysis or a reference to it. ARM 12.2.432(3)(b). A cost benefit analysis was not completed. This is a high use FAS with high public expectations it is reopened as soon as possible.

	Yes*	No
Was a cost/benefit analysis prepared for the proposed project?	☐	☒

* If yes, a copy of the cost/benefit analysis prepared for the proposed project is included in Attachment A to this Draft EA

IV. Other Agency Regulatory Responsibilities

FWP must list any federal, state, and/or local agencies that have overlapping or additional jurisdiction, or environmental review responsibility for the proposed project, as well as permits, licenses, and other required authorizations. ARM 12.2.432(3)(c).

A list of other required local, state, and federal approvals, such as permits, certificates, and/or licenses from affected agencies is included in Table 1 below. Table 1 provides a summary of state requirements but does not necessarily represent a complete and comprehensive list of all permits, certificates, or approvals needed. Rather, Table 1 lists the primary state agencies with regulatory responsibilities, the applicable regulation(s) and the purpose of the regulation(s). Agency decision-making is governed by state and federal laws, including statutes, rules, and regulations, that form the legal basis for the conditions the proposed project must meet to obtain necessary permits, certificates, licenses, or other approvals. Further, these laws set forth the conditions under which each agency could deny the necessary approvals.

The permit applications have been sent to the necessary agencies for review and consideration.

Table 1: Federal, State, and/or Local Regulatory Responsibilities

Agency	Type of Authorization (permit, license, stipulation, other)	Purpose
Stillwater County	Permit-Floodplain	Floodplain / Riverbank work
Dept. Of Environmental Quality	318 Authorization 401 Certification	Water Quality
U.S. Army Corps of Engineers	Permit - Section 404	Floodplain / Riverbank work
Montana Fish Wildlife & Parks	Permit-124 Stream Protection Act	Stream Protection Act

V. List of Mitigations, Stipulations

Mitigations, stipulations, and other *enforceable* controls required by FWP, or another agency, may be relied upon to limit potential impacts associated with a proposed Project. **Table 2** below lists and evaluates enforceable conditions FWP may rely on to limit potential impacts associated with the proposed Project. ARM 12.2.432(3)(g).

Table 2: Listing and Evaluation of Enforceable Mitigations Limiting Impacts

Are enforceable controls limiting potential impacts of the proposed action? If not, no further evaluation is needed.			**Yes ☒**	**No ☐**
If yes, are these controls being relied upon to limit impacts below the level of significance? If yes, list the enforceable control(s) below			**Yes ☒**	**No ☐**
Enforceable Control	**Responsible Agency**	**Authority (Rule, Permit, Stipulation, Other)**	**Effect of Enforceable Control on Proposed Project**	
Type & location of work in floodway	Stillwater County	Floodplain permit	Plans strive to minimize impact to regulatory floodway	
Type and location of work in floodway	U.S. Army Corps of Engineers	404 Permit	Plans strive to minimize impact to regulatory floodway	
Wetland Protection	U.S Army Corps of Engineers	404 Permit	The area is dominated by Riparian Forest	
Water Quality	Dept. of Environmental Quality	318 Authorization 401 Certification	Plans strive to minimize impact to water quality	
Type of work on a streambed and bank	Montana Fish Wildlife and Parks	SPA 124 Permit	Plans to protect stream natural processes and functions.	

VI. Alternatives Considered

In addition to the proposed Project, and as required by MEPA, FWP analyzes the "No-Action" alternative in this EA. Under the "No-Action" alternative, FWP would not do the proposed project.

Under the “No Action” alternative, the proposed project would not occur. Therefore, no additional impacts to the physical environment or human population in the analysis area would occur. The “No Action” alternative forms the baseline from which the potential impacts of the proposed Project can be measured. If the No Action alternative were selected, the Swinging Bridge FAS would remain closed to public access due to safety concerns and a lack of needed infrastructure damage sustained during a significant Stillwater River flood event in 2022.

	Yes*	No
Were any additional alternatives considered and dismissed?	☒	☐

* If yes, a list and description of the other alternatives considered, but not carried forward for detailed review is included below

Other Alternatives Not Carried Forward for Detailed Analysis

Alternative 3: Walk-In Only Access

The Swinging Bridge FAS is highly valued by recreational users of the Stillwater River for its river access as well as for camping and general day use. A third alternative to completing the FAS restoration would be to convert the existing drive-in access to walk-in only access. This alternative was not carried forward for detailed impacts analysis because it does not allow for boat access at the FAS or convenient drive-up use of the campsites, both of which constitute important and highly desired elements of the existing public FAS. This alternative would also severely limit access for individuals with disabilities that require ADA-compliant facilities and other user groups. The driftwood piles that were deposited during the June 2022 Stillwater River flood are blocking portions of the road and parking lot which poses a safety risk to walk-in only access. The road supports management of vault latrines, campsites, including fire rings and picnic tables. Without a restored and maintained access road, support for the vault latrine would not be possible and the latrine would be removed. Removal of the latrine would likely result in significant issues related to public sanitation. Further, there is no available parking along the roadway leading to the FAS, which is necessary to support walk-in only access. Currently no safe access is feasible thus making the FAS obsolete. Therefore, Alternative 3 has been dismissed from further consideration under the proposed action.

Alternative 4: New Legal Access Point(s)

Negotiate with private landowners for new legal access points either by leasing access or purchasing land for access. FWP has consulted with area landowners and determined they are not interested in changing access points and historic uses of the neighboring lands. Therefore, Alternative 4 has been dismissed from further consideration under the proposed action.

VII. Summary of Potential Impacts of the Proposed Project on the Physical Environment and Human Population

The impacts analysis identifies and evaluates **direct**, **secondary**, and **cumulative impacts**.

- **Direct impacts** are those that occur at the same time and place as the action that triggers the effect.
- **Secondary impacts** "are further impacts to the human environment that may be stimulated or induced by or otherwise result from a direct impact of the action." ARM 12.2.429(18).
- **Cumulative impacts** "means the collective impacts on the human environment of the proposed action when considered in conjunction with other past and present actions related to the proposed action by location or generic type. Related future actions must also be considered when these actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures." ARM 12.2.429(7).

Where impacts are expected to occur, the impact analysis estimates the **extent, duration, frequency,** and **severity** of the impact. The duration of an impact is quantified as follows:

- **Short-Term**: impacts that would not last longer than the proposed project.
- **Long-Term**: impacts that would remain or occur following the proposed project.

The severity of an impact is measured using the following:

- **No Impact**: there would be no change from current conditions.
- **Negligible**: an adverse or beneficial effect would occur but would be at the lowest levels of detection.
- **Minor**: the effect would be noticeable but would be relatively small and would not affect the function or integrity of the resource.
- **Moderate**: the effect would be easily identifiable and would change the function or integrity of the resource.
- **Major**: the effect would irretrievably alter the resource.

Some impacts may require mitigation. As defined in ARM 12.2.429, mitigation means:

- Avoiding an impact by not taking a certain action or parts of a project;
- Minimizing impacts by limiting the degree or magnitude of a project and its implementation;
- Rectifying an impact by repairing, rehabilitating, or restoring the affected environment; or
- Reducing or eliminating an impact over time by preservation and maintenance operations during the life of a project or the time period thereafter that an impact continues.

A list of any mitigation strategies including, but not limited to, design, enforceable controls or stipulations, or both, as applicable to the proposed project is included in **Section VI** above.

FWP must analyze impacts to the physical and human environment for each alternative considered. The proposed project considered the following alternatives:

- **Alternative 1: No Action. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population**

  Under the "No Action" alternative, the proposed project would not occur. Therefore, no additional impacts to the physical environment or human population in the analysis area would occur. The "No Action" alternative forms the baseline from which the potential impacts of the proposed Project can be measured.

- **Alternative 2: Proposed Project. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population**

  See **Table 3** (Impacts on Physical Environment) and **Table 4** (Impacts on Human Population) below.

- Alternatives 3 and 4 are not considered in the following discussion.

Table 3 - Potential Impacts of Alternative 2: Proposed Project on the Physical Environment

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Terrestrial, avian, and aquatic life and habitats	☐	☒	☐	☐	☐	☒	☐	☐	No significant adverse impacts to terrestrial, avian, and aquatic life and habitats would be expected because of the proposed project. Minor, short-term impacts to aquatic life and habitats during the streambank restoration portion of the project may occur. To reduce impacts to fisheries habitat and fish populations, construction activities will occur during low flows and operation of equipment in the stream will be reduced to the extent possible.
Water quality, quantity, and distribution	☐	☒	☐	☐	☐	☒	☐	☐	No significant adverse impacts to water quality quantity and distribution would be expected because of the proposed project. Project implementation is expected to result in a minor, short -term increase in water turbidity. Turbidity won't exceed what naturally occurs within the stream during high flow events. To reduce degraded water quality, construction will occur during low flows and operation of equipment in the stream will be minimized to the extent practical. A local floodplain permit, Federal Clean Water Act 404 permit, 318 Authorization, and Stream Protection Act or SPA 124 permit would be obtained to meet short-term water quality standards and floodplain and stream work requirements. Long term, the project is expected to maintain minimal sediment inputs through improved riparian vegetation resulting in improves water quality through reduced sediment inputs.
Geology	☒	☐	☐	☒	☐	☐	☐	☐	No significant adverse impacts to geology would be expected because of the proposed project. The proposed project would not affect any unique geologic features in the project area, therefore no impacts to geology would be expected because of the proposed project.

Soil quality, stability, and moisture	☐	☒	☒	☐	☐	☐	☒	☐	No significant adverse impacts to soil quality and moisture would be expected because of the proposed project. An objective of the proposed project is to reduce soil scouring of stream banks and facilitate soil stability in the long term. There will be short-term, moderate adverse impacts to soils along the 210 linear feet of streambank that are disturbed during the installation of riprap. Soils disturbed by construction will be re-seeded with native vegetation and the regraded banks will be stabilized with the placement of willows & riparian vegetation. A portion of the stream will have non-native riprap in place with backfill from local soils. Long-term, moderate beneficial impacts would be expected because the project would maintain the affected bank and access road into the future.
Vegetation cover, quantity, and quality	☐	☐	☒	☐	☐	☐	☒	☐	No significant adverse impacts to vegetation cover, quantity, and quality would be expected because of the proposed project. Placing willow in the new riverbank will encourage the re-establishment of natural vegetation cover. The remaining areas, including the road and parking area are void of vegetation. FWP would manage noxious weeds and would use the most effective means, depending on species and location, to eradicate identified noxious weeds. Therefore, any impact to vegetation cover, quality, and quantity would be long-term, moderate, and beneficial.
Aesthetics	☐	☒	☒	☐	☐	☒	☐	☒	No significant adverse impacts to the aesthetic nature of the affected area would be expected because of the proposed project. The proposed projects will, by design, rebuild the road and parking area as well as 210 linear feet of streambank with riprap incorporating native willows and riparian vegetation to enhance natural resource benefits of the bank project which also creates a more natural looking bank. (See Vegetation cover, quantity, and quality above). Some individuals may be adversely impacted by noise and the movement of materials during the construction phase of the proposed

									project, which would be limited to approximately 2 weeks of time from project implementation to completion. Overall, any impacts would be short-term, adverse, and minor and long-term, beneficial and major.
Air quality	☐	☒	☐	☐	☐	☒	☐	☐	No significant impacts to air quality in the affected area would be expected because of the proposed project. Air quality in the area affected by the proposed project is currently unclassifiable or attaining the applicable national ambient air quality standards (NAAQS). The proposed project constitutes rebuilding an access road and parking area along with streambank restoration activities and, when completed, would not result in additional air quality disturbance in the affected area. Further, no significant point-sources of air pollution exist in the area affected by the proposed project. Existing sources of air pollution in the area are limited and generally include area sources such as unpaved county roads (fugitive dust source), vehicle exhaust emissions, and various agricultural practices (vehicle exhaust emissions and fugitive dust). Fugitive dust and vehicle exhaust emissions resulting from the movement of heavy equipment and construction material for the proposed project may have short-term, minor direct impacts to air quality in the immediate area for the duration of proposed project.
Unique, endangered, fragile, or limited environmental resources	☐	☒	☐	☐	☐	☒	☐	☐	No significant adverse impacts to any unique, endangered, fragile, or limited environmental resources would be expected because of the proposed project. FWP reviewed the Montana Natural Heritage Program's Environmental Summary report for the affected area and determined no known "threatened or endangered" species have been observed in the affected area. Sixty-eight potential "species of concern" could be present (Appendix II). Nine animals and one plant species of concern have been documented within or near the site (Appendix III). Because of the short-term duration of the project and because the proposed project would not disturb any new areas or habitats. any impacts to unique, endangered,

									fragile, or limited environmental resources that may be located in the affected area would be short-term and minor.
Historical and archaeological sites	☒	☐	☐	☒	☐	☐	☐	☐	No significant impacts to historical and archaeological sites are expected as a result of the proposed project. The FWP Heritage Program conducted a search of the State Historic Preservation Office's (SHPO) Cultural Resource Database, and identified no previously recorded historical or archaeological sites within the project area. The Swinging Bridge FAS was surveyed after a flood in 2011 and no cultural resources were identified at that time. Repair and reconstruction of the FAS after the 2011 flood resulted in extensive ground disturbance and soil replacement across the current project area. In addition, United States Department of Agriculture Websoil Survey data, Bureau of Land Management General Land Office records, the Montana LiDAR inventory, and historical topographic maps indicate the project area has low potential to contain intact subsurface cultural deposits. If cultural artifacts are discovered during implementation of the project, Montana FWP would immediately cease activity and notify internal Heritage Program staff, who would consult with the SHPO and adjust the project design to avoid impacting these resources, if needed. After the 2022 flood, a new side channel formed where a portion of the previous road existed. The proposed road work would rebuild on previously disturbed ground which is now open channel, defined roads, and existing campsite foundations. Therefore, no impacts to historical or archaeological sites would be expected because of the proposed project
Demands on environmental resources of land, water, air, and energy	☐	☒	☐	☐	☒	☐	☐	☐	No significant adverse impacts to demands on the environmental resources of land, water, and air would be expected because of the proposed project. Fuel would be required to operate heavy equipment and vehicles used during the proposed project. No other demands on the affected environmental resources would be expected.

									Therefore, any impacts to demands on environmental resources of land, water, air and energy in the affected area would be short term and negligible.

Table 4 - Potential Impacts of Alternative 2: Proposed Project on the Human Population

HUMAN POPULATION	**Duration of Impact**			**Severity of Impact**					
Resource	**None**	**Short-Term**	**Long-Term**	**None**	**Negligible**	**Minor**	**Moderate**	**Major**	**Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures**
Social structures and mores	☐	☐	☒	☐	☐	☐	☐	☒	No significant adverse impacts to existing social structures and mores in the affected area would be expected because of the proposed project. The proposed project constitutes re-development of an existing FAS to repair/replace infrastructure lost to a historic Stillwater River flooding event that occurred in June of 2022. No change in land ownership or use would occur because of the proposed project as the affected land would continue to be used to facilitate public recreation. Montanans and those visiting the state for recreational purposes generally hold high regard for public lands and developed recreational opportunities. Therefore, the proposed project would result in long-term, major beneficial impacts to existing social structures, customs, values, and conventions in the affected area.
Cultural uniqueness and diversity	☒	☐	☐	☒	☐	☐	☐	☐	No significant impacts to cultural uniqueness and diversity in the affected area would be expected because of the proposed project. The proposed project constitutes stream and vegetation activities and road rebuilding within an existing FAS and it is not expected this action would result in any relocation of people into or out of the affected area. Therefore, no impacts to the existing cultural uniqueness and diversity of the human population in the affected area would be expected because of the proposed project.

Access to and quality of recreational and wilderness activities	☐	☐	☒	☐	☐	☐	☐	☒	No significant adverse impacts to access or the quality of recreational and wilderness activities would be expected because of the proposed project. No Wilderness areas exist in the affected area therefore, no impacts to Wilderness recreation activities would occur because of the proposed project. The project would result in long-term, major beneficial impacts for recreational activities by restoring approximately 210 feet of eroded streambank to a more stable condition and public access to the Stillwater River. Restoration activities will improve the recreational experience for all users of the FAS.
Local and state tax base and tax revenues	☐	☒	☒	☐	☐	☒	☐	☐	No significant adverse impacts to the local and state tax base and tax revenue would be expected because of the proposed project. The proposed project is expected to have short-term, minor beneficial impacts to state and local tax revenues from the sale of fuel, supplies and equipment needed to complete the project. Restoration and resumed public use of the site would also result in minor, long-term beneficial impacts to the local and state tax base because users of the FAS would likely use services and purchase goods provided by nearby businesses.
Agricultural or Industrial production	☒	☐	☐	☒	☐	☐	☐	☐	The proposed project constitutes streambank and road rebuilding activities within an existing FAS. Because the affected area is not currently used for agricultural or industrial production, the proposed project would not impact such practices. Therefore, no impacts to agricultural or industrial production would be expected because of the proposed project.
Human health and safety	☐	☐	☒	☐	☐	☐	☐	☒	No significant adverse impacts to human health and safety would be expected because of the proposed project. Long term, the proposed project would decrease risk to human health and safety at the FAS by rebuilding infrastructure lost in the June 2022 Stillwater River flooding event. The site will be opened to safe public access rather than unplanned pioneered access or river only access. Management of the sites sanitation and area amenities relies on quality road access. Any impacts to human

									health and safety because of the proposed project would be long-term and major.
Quantity and distribution of employment	☐	☒	☐	☐	☐	☒	☐	☐	No significant adverse impacts to quantity and distribution of employment would be expected because of the proposed project. The project constitutes streambank and road rebuilding activities within an existing FAS and, when completed, would not impact the quantity and distribution of the employment in the affected area. Short-term, minor beneficial impacts to the local quantity and distribution of employment may be realized because of the need for contracted services to complete the restoration activities.
Distribution and density of population and housing	☒	☐	☐	☐	☒	☐	☐	☐	No significant adverse impacts to the distribution and density of population and housing would be expected because of the proposed project. The proposed project constitutes streambank and road rebuilding activities within an existing FAS. Contractors would be used to accomplish portions of the proposed project, which may result in the need for temporary housing if the contractors selected for the proposed project do not live in the affected area. Any impacts from contracted work would be short-term and negligible and, when completed, would not impact the distribution and density of population and housing in the affected area. Further, the proposed project takes place on land owned by FWP and historically used for recreational purposes. Therefore, any impacts to the distribution and density of population and housing in the affected area because of the proposed project would be short-term and negligible.
Demands for government services	☐	☒	☒	☐	☐	☒	☐	☐	No significant adverse impacts to demands for government services would be expected because of the proposed project. The project constitutes streambank and road rebuilding activities within an existing FAS. The proposed project would use hired contractors to complete the work. Therefore, some impacts to demands for government services would occur as contractors would be paid by FWP for their services. Further, FAS service levels

									would likely return to or exceed pre-2022 flood damage levels requiring FWP resumption of routine maintenance of the FAS. Any impacts would be short- and long-term and minor.
Industrial, agricultural, and commercial activity	☐	☐	☒	☐	☐	☐	☒	☐	No significant adverse impacts to industrial, agricultural, and commercial activity would be expected because of the proposed project. The proposed project constitutes streambank and road rebuilding activities within an existing FAS located on land owned by FWP and already used for such purposes. Therefore, the proposed project would not displace any existing industrial or agricultural activity. There is commercial use of this FAS by guides and outfitters for floating and fishing. Re-opening of the FAS would allow those affected businesses to return to pre-2022 flood damage levels. Beneficial impacts to commercial use will be long-term and moderate.
Locally adopted environmental plans and goals	☐	☐	☒	☐	☐	☒	☐	☐	No significant adverse impacts to locally adopted environmental plans and goals would be expected because of the proposed project. The primary goal of the FAS is to accommodate public river access and recreation. Montana FWP is unaware of any other local adopted environmental plans and goals in the proposed project area. This project is supported by the Stillwater County Commissioners to be completed. The proposed project constitutes streambank and road rebuilding activities within an existing FAS; therefore, the proposed project would result in long-term minor, and beneficial impacts to the existing FAS.
Other appropriate social and economic circumstances	☒	☐	☐	☒	☐	☐	☐	☐	No significant adverse impacts to any other appropriate social and economic circumstances would be expected because of the proposed project. Montana FWP is unaware of any other appropriate social and economic circumstances that may be impacted by the proposed project.

Table 5: Determining the Significance of Impacts on the Quality of the Human Environment

If the EA identifies impacts associated with the proposed project FWP must determine the significance of the impacts. This determination forms the basis for FWP's decision as to whether it is necessary to prepare an environmental impact statement or EIS. An impact may be adverse, beneficial, or both. If none of the adverse effects of the impact are significant, an EIS is not required. An EIS is required if an impact has a significant adverse effect, even if the agency believes that the effect on balance will be beneficial. ARM 12.2.431.

FWP must consider the criteria identified in this table to determine the significance of each impact on the quality of the human environment. The significance determination is made by giving weight to these criteria in their totality. For example, impacts identified as moderate or major in severity may not be significant if the duration is short-term. However, moderate or major impacts of short-term duration may be significant if the quantity and quality of the resource is limited and/or the resource is unique or fragile. Further, moderate or major impacts to a resource may not be significant if the quantity of that resource is high or the quality of the resource is not unique or fragile. ARM 12.2.431.

	Criteria Used to Determine Significance
1	The **severity, duration, geographic extent,** and **frequency** of the occurrence of the impact **"Severity"** describes the density of the potential impact, while **"extent"** describes the area where the impact will likely occur, e.g., a project may propagate ten noxious weeds on a surface area of 1 square foot. Here, the impact may be high in severity, but over a low extent. In contrast, if ten noxious weeds were distributed over ten acres, there may be low severity over a larger extent. **"Duration"** describes the time period during which an impact may occur, while **"frequency"** describes how often the impact may occur, e.g., an operation that uses lights to mine at night may have frequent lighting impacts during one season (duration).
2	The probability that the impact will occur if the proposed project occurs; or conversely, reasonable assurance in keeping with the potential severity of an impact that the impact will not occur
3	Growth-inducing or growth-inhibiting aspects of the impact, including the relationship or contribution of the impact to cumulative impacts
4	The quantity and quality of each environmental resource or value that would be affected, including the uniqueness and fragility of those resources and values
5	The importance to the state and to society of each environmental resource or value that would be affected
6	Any precedent that would be set as a result of an impact of the proposed project that would commit FWP to future actions with significant impacts or a decision in principle about such future actions
7	Potential conflict with local, state, or federal laws, requirements, or formal plans

VIII. Private Property Impact Analysis (Takings)

The 54th Montana Legislature enacted the Private Property Assessment Act, now found at § 2-10-101. The intent was to establish an orderly and consistent process by which state agencies evaluate their proposed projects under the "Takings Clauses" of the United States and Montana Constitutions. The Takings Clause of the Fifth Amendment of the United States Constitution provides: "nor shall private property be taken for public use, without just compensation." Similarly, Article II, Section 29 of the Montana Constitution provides: "Private property shall not be taken or damaged for public use without just compensation..."

The Private Property Assessment Act applies to proposed agency projects pertaining to land or water management or to some other environmental matter that, if adopted and enforced without due process of law and just compensation, would constitute a deprivation of private property in violation of the United States or Montana Constitutions.

The Montana State Attorney General's Office has developed guidelines for use by state agencies to assess the impact of a proposed agency project on private property. The assessment process includes a careful review of all issues identified in the Attorney General's guidance document (Montana Department of Justice 1997). If the use of the guidelines and checklist indicates that a proposed agency project has taking or damaging implications, the agency must prepare an impact assessment in accordance with Section 5 of the Private Property Assessment Act.

Table 7: Private Property Assessment (Taking and Damaging)

	Yes	No
Is FWP regulating the use of private property under a regulatory statute adopted pursuant to the police power of the state? (Property management, grants of financial assistance, and the exercise of the power of eminent domain are not within this category.) If not, no further analysis is required	☐	☒
Does the proposed regulatory action restrict the use of the regulated person's private property? If not, no further analysis is required.	☐	☐
Does FWP have legal discretion to impose or not impose the proposed restriction or discretion as to how the restriction will be imposed? If not, no further analysis is required	☐	☐
If so, FWP must determine if there are alternatives that would reduce, minimize, or eliminate the restriction on the use of private property, and analyze such alternatives. Have alternatives been considered and/or analyzed? If so, describe below:	☐	☐

PRIVATE PROPERTY ASSESMENT ACT (PPAA)			
Does the Proposed Action Have Takings Implications under the PPAA?	**Question #**	**Yes**	**No**
Does the project pertain to land or water management or environmental regulations affecting private property or water rights?	1	☐	☒
Does the action result in either a permanent or an indefinite physical occupation of private property?	2	☐	☒
Does the action deprive the owner of all economically viable uses of the property?	3	☐	☒
Does the action require a property owner to dedicate a portion of property or to grant an easement? (If answer is NO, skip questions 4a and 4b and continue with question 5)	4	☐	☒
Is there a reasonable, specific connection between the government requirement and legitimate state interest?	4a	☐	☐
Is the government requirement roughly proportional to the impact of the proposed use of the property?	4b	☐	☐

Does the action deny a fundamental attribute of ownership?	5	☐	☒
Does the action have a severe impact of the value of the property?	6	☐	☒
Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public general? (If the answer is NO, skip questions 7a-7c.)	7	☐	☒
Is the impact of government action direct, peculiar, and significant?	7a	☐	☐
Has the government action resulted in the property becoming practically inaccessible, waterlogged, or flooded?	7b	☐	☐
Has the government action diminished property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?	7c	☐	☐
Does the proposed action result in taking or damaging implications?		☐	☒
Taking or damaging implications exist if **YES** is checked in response to Question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if **NO** is checked in response to question 4a or 4b.			
If taking or damaging implications exist, the agency must comply with MCA § 2-10-105 of the PPAA, to include the preparation of a taking or damaging impact assessment. Normally, the preparation of an impact assessment will require consultation with agency legal staff.			
Alternatives: The analysis under the Private Property Assessment Act, §§ 2-10-101 through -112, MCA, indicates no impact. FWP does not plan to impose conditions that would restrict the regulated person's use of private property to constitute a taking.			

IX. Public Participation

The level of analysis in an EA will vary with the complexity and seriousness of environmental issues associated with a proposed action. The level of public interest will also vary. FWP is responsible for adjusting public review to match these factors (ARM 12.2.433(1)). Because FWP determines the proposed action will result in limited environmental impact, and little public interest has been expressed, FWP determines the following public notice strategy will provide an appropriate level of public review:

- An EA is a public document and may be inspected upon request. Any person may obtain a copy of an EA by making a request to FWP. If the document is out-of-print, a copying charge may be levied (ARM 12.2.433(2)).
- Public notice will be served on the Montana Fish, Wildlife and Parks website at: *https://fwp.mt.gov/aboutfwp/public-comment-opportunities*
- Copies will be distributed to neighboring landowners to ensure their knowledge of the proposed project and opportunity for review and comment on the proposed action.
- FWP maintains a mailing list of persons interested in a particular action or type of action. FWP will notify all interested persons and distribute copies of the EA to those persons for review and comment (ARM 12.2.433(3)).
- FWP will issue public notice in the following newspaper periodical(s) on the date(s) indicated.

Newspaper / Periodical	Date(s) Public Notice Issued
Stillwater County News	4/19/23
Billings Gazette	4/19/23

Public notice will announce the availability of the EA, summarize its content, and solicit public comment.

- **Duration of Public Comment Period:** The public comment period begins on the date of publication of legal notice in area newspapers (see above). Written or e-mailed comments will be accepted until 5:00 p.m., MDT, on the last day of public comment, as listed below:

Length of Public Comment Period: 15 days
Public Comment Period Begins: 04/19/23 8:00 am MDT
Public Comment Period Ends: 05/03/23 5:00 pm MDT

Comments must be addressed to the FWP contact, as listed below.

- **Where to Mail or Email Comments on the Draft EA:**

Name: MONTANA FISH WILDLIFE AND PARKS REGION 5
Email: fwpregion5pc@mt.gov use subject line: **Swinging Bridge FAS Rehabilitation**

Mailing Address:
C/O Mike Ruggles: Swinging Bridge FAS Rehabilitation
2300 Lake Elmo Drive
Billings, MT 59105

Phone for additional information: Mike Ruggles 406-247-2951 Regional Manager, or Ryder Paggen 406-247-2954 Regional Recreation Manager.

X. Recommendation for Further Environmental Analysis

NO further analysis is needed for the proposed action	☒
FWP must conduct **EIS** level review for the proposed action	☐

XI. EA Preparation and Review

	Name	**Title**
EA prepared by:	Chris Phillips, Mike Ruggles, Ryder Paggen	FWP Staff
EA reviewed by:	Hope Stockwell,	Parks and Outdoor Recreation Division Administrator
	Eric Merchant	MEPA Coordinator

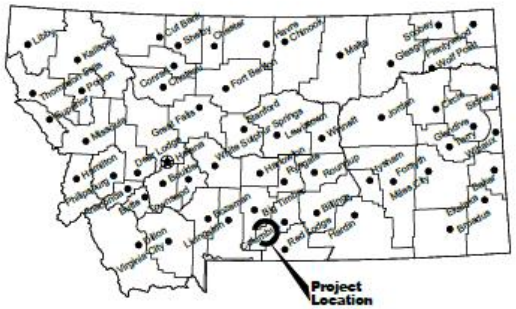
Appendix I. Site Plans

Montana Fish, Wildlife & Parks

Swinging Bridge FAS
2023 Flood Rehabilitaion

near Absarokee, Stillwater County, Montana

FWP Project No. - TBD



Location Map

No Scale

North

Vicinity Map

No Scale

MONTANA FISH, WILDLIFE AND PARKS
DESIGN AND CONSTRUCTION

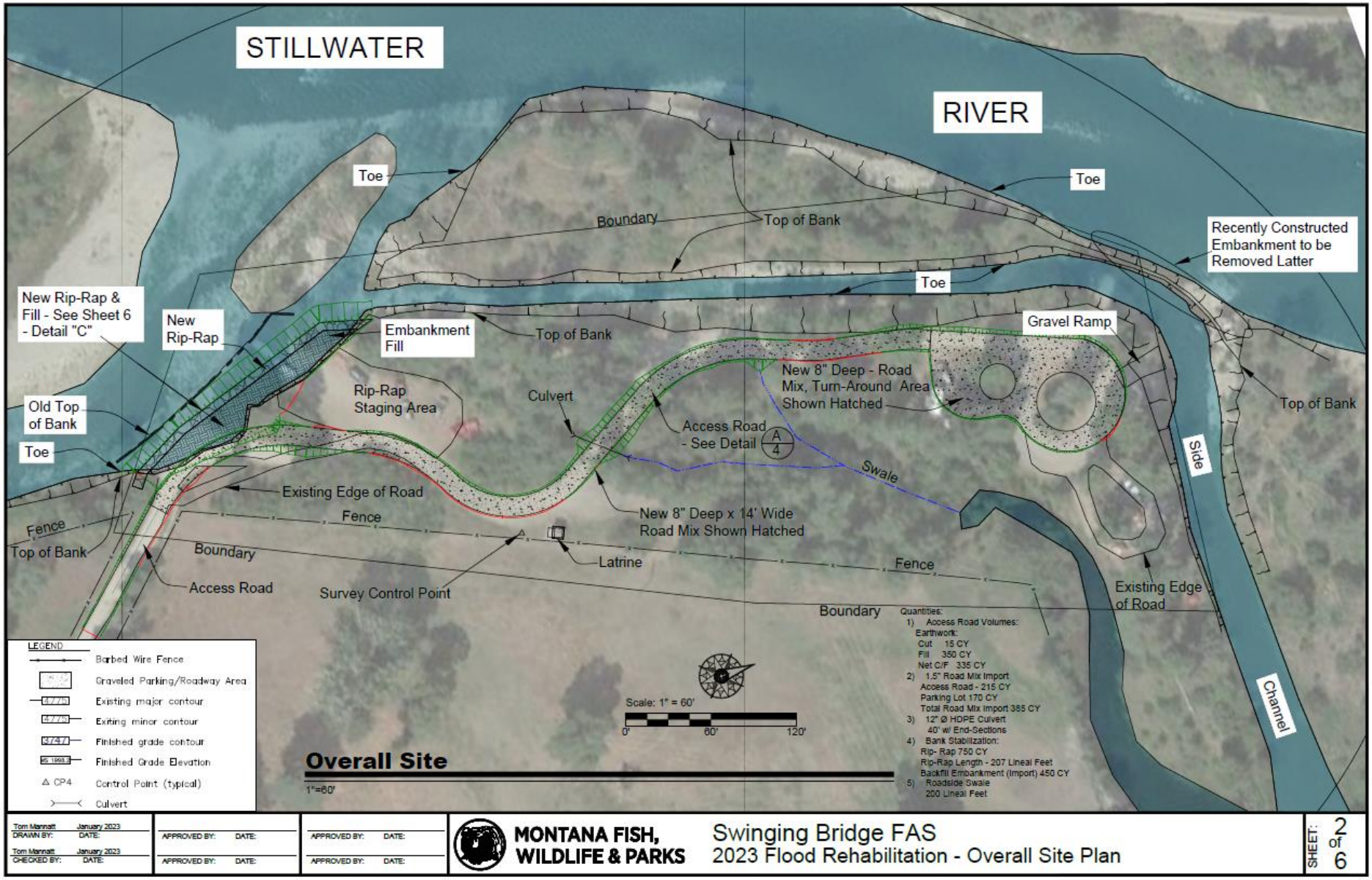
MAILING ADDRESS:
PO BOX 200701
HELENA, MT 59620-0701

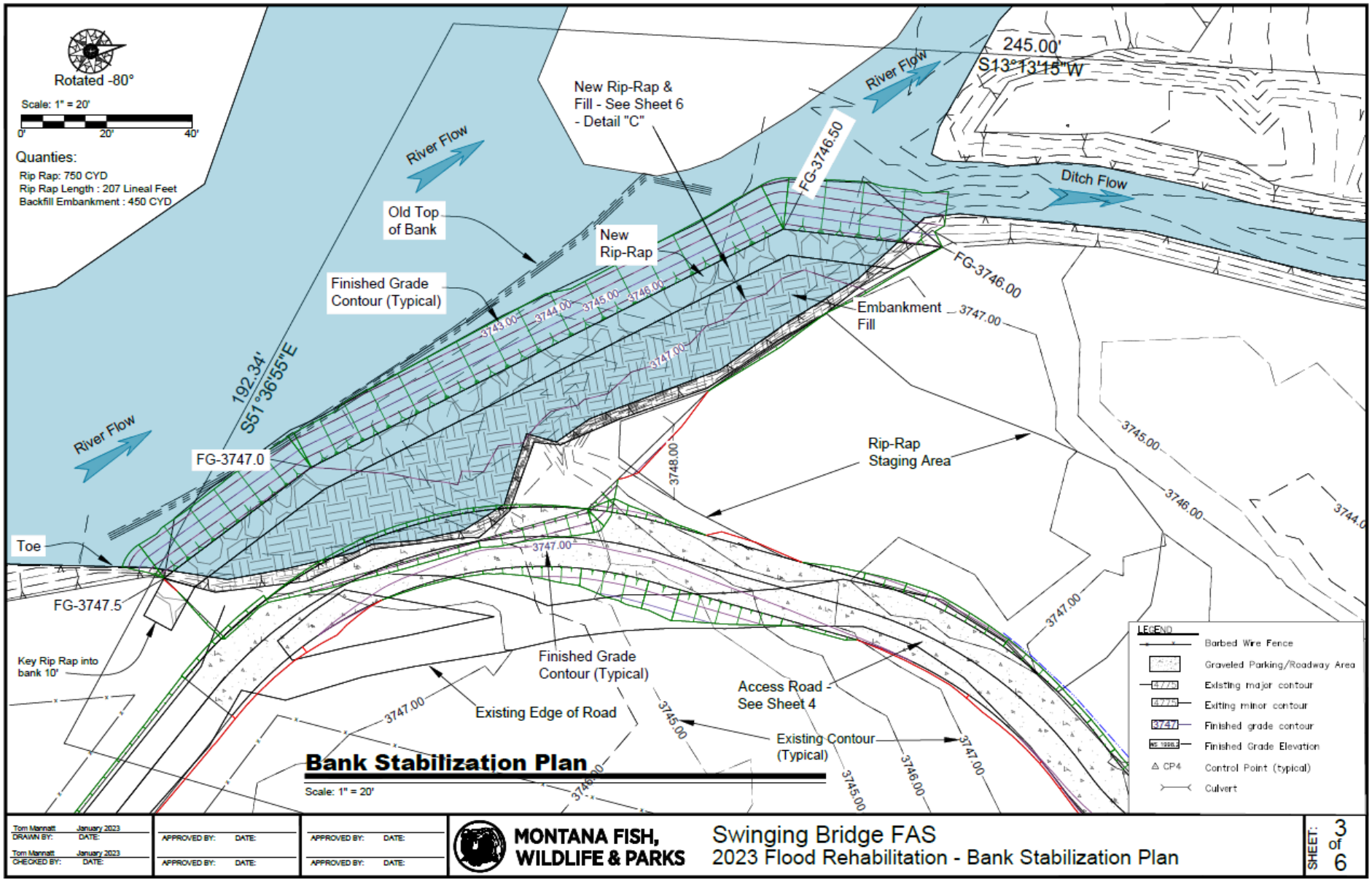
PHYSICAL ADDRESS:
1522 9th AVENUE
HELENA, MT 59601

TEL 406.841.4000
FAX 406.841.4004
fwp.mt.gov/Doing Business/Design&Construction

DRAWING INDEX

Tom Mannatt DRAWN BY: January 2023 DATE:	APPROVED BY: DATE:	APPROVED BY: DATE:	MONTANA FISH, WILDLIFE & PARKS	Montana Fish, Wildlife & Parks 2023 Flood Rehabilitation - Cover Sheet	SHEET: 1 of 6
Tom Mannatt CHECKED BY: January 2023 DATE:	APPROVED BY: DATE:	APPROVED BY: DATE:			


STILLWATER
RIVER
Toe
Boundary
Top of Bank
Toe
Recently Constructed Embankment to be Removed Latter
Toe
New Rip-Rap & Fill - See Sheet 6 - Detail "C"
New Rip-Rap
Embankment Fill
Top of Bank
Gravel Ramp
New 8" Deep - Road Mix, Turn-Around Area Shown Hatched
Rip-Rap Staging Area
Culvert
Old Top of Bank
Toe
Access Road - See Detail A/4
Top of Bank
Side
Swale
Existing Edge of Road
Fence
Fence
Top of Bank
New 8" Deep x 14' Wide Road Mix Shown Hatched
Boundary
Latrine
Fence
Access Road
Survey Control Point
Boundary
Existing Edge of Road
Channel
LEGEND
Barbed Wire Fence
Graveled Parking/Roadway Area
Existing major contour
Exiting minor contour
Finished grade contour
Finished Grade Elevation
CP4 Control Point (typical)
Culvert
Scale: 1" = 60'
0'
60'
120'
Overall Site
1"=60'
Quantities:
1) Access Road Volumes:
Earthwork:
Cut 15 CY
Fill 350 CY
Net C/F 335 CY
2) 1.5" Road Mix Import
Access Road - 215 CY
Parking Lot 170 CY
Total Road Mix Import 385 CY
3) 12" Ø HDPE Culvert
40' w/ End-Sections
4) Bank Stabilization:
Rip- Rap 750 CY
Rip-Rap Length - 207 Lineal Feet
Backfill Embankment (Import) 450 CY
5) Roadside Swale
200 Lineal Feet
Tom Mannatt January 2023
DRAWN BY: DATE:
Tom Mannatt January 2023
CHECKED BY: DATE:
APPROVED BY: DATE:
APPROVED BY: DATE:
APPROVED BY: DATE:
APPROVED BY: DATE:
MONTANA FISH, WILDLIFE & PARKS
Swinging Bridge FAS
2023 Flood Rehabilitation - Overall Site Plan
SHEET: 2 of 6


Rotated -80°
Scale: 1" = 20'
0'
20'
40'
Quanties:
Rip Rap: 750 CYD
Rip Rap Length : 207 Lineal Feet
Backfill Embankment : 450 CYD
River Flow
Old Top of Bank
New Rip-Rap & Fill - See Sheet 6 - Detail "C"
FG-3746.50
River Flow
Ditch Flow
245.00'
S13°13'15"W
New Rip-Rap
Finished Grade Contour (Typical)
3743.00
3744.00
3745.00
3746.00
3747.00
FG-3746.00
Embankment Fill
192.34'
S51°36'55"E
River Flow
FG-3747.0
3748.00
Rip-Rap Staging Area
3745.00
3746.00
Toe
FG-3747.5
Key Rip Rap into bank 10'
Finished Grade Contour (Typical)
Access Road - See Sheet 4
Existing Edge of Road
Existing Contour (Typical)
Bank Stabilization Plan
Scale: 1" = 20'
LEGEND
Barbed Wire Fence
Graveled Parking/Roadway Area
Existing major contour
Exiting minor contour
Finished grade contour
Finished Grade Elevation
CP4
Control Point (typical)
Culvert
Tom Mannatt DRAWN BY: January 2023 DATE:
Tom Mannatt CHECKED BY: January 2023 DATE:
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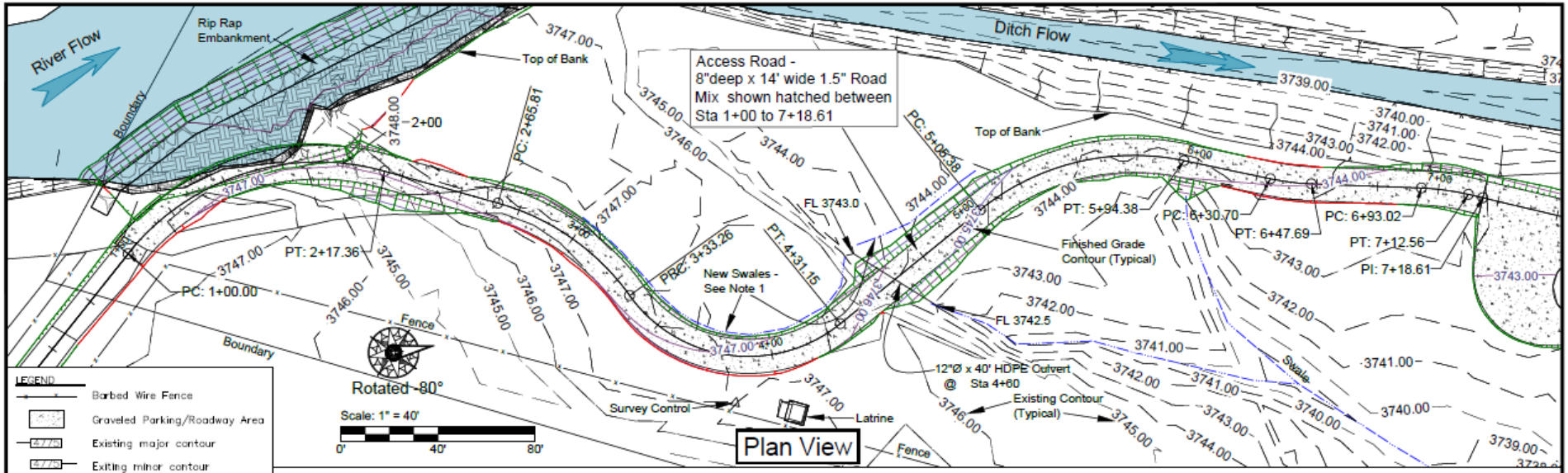
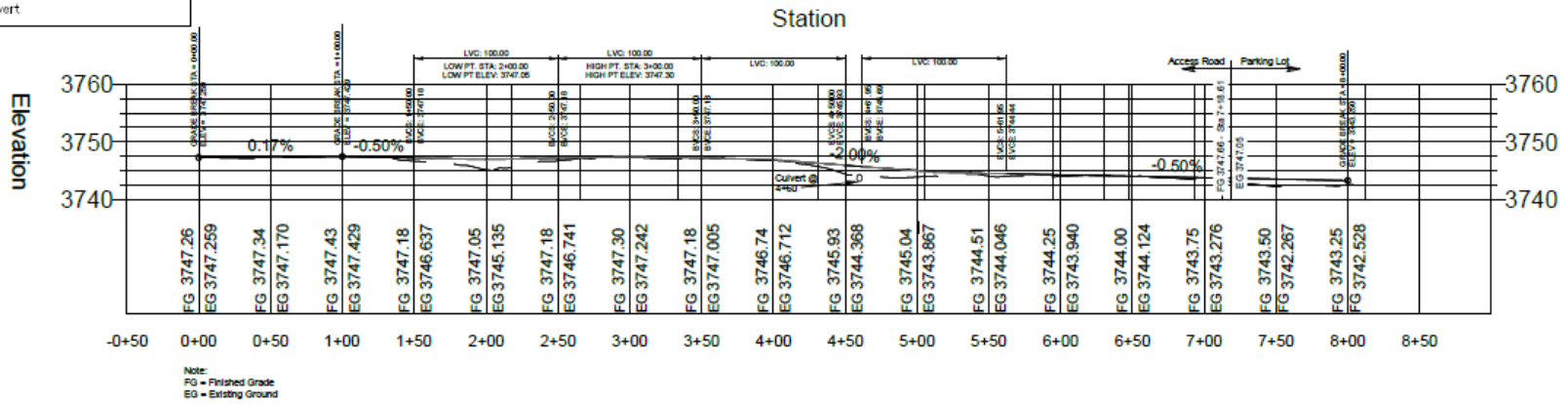
APPROVED BY: DATE:
APPROVED BY: DATE:
MONTANA FISH, WILDLIFE & PARKS
Swinging Bridge FAS
2023 Flood Rehabilitation - Bank Stabilization Plan
SHEET: 3 of 6



Notes:
1) Install road side swales per Detail "B" on Sheet 6. Drain to culvert flow line @ 1% minimum.

Access Rd PROFILE

Profile Scale: 1" = 80' horizontal
1" = 20' vertical



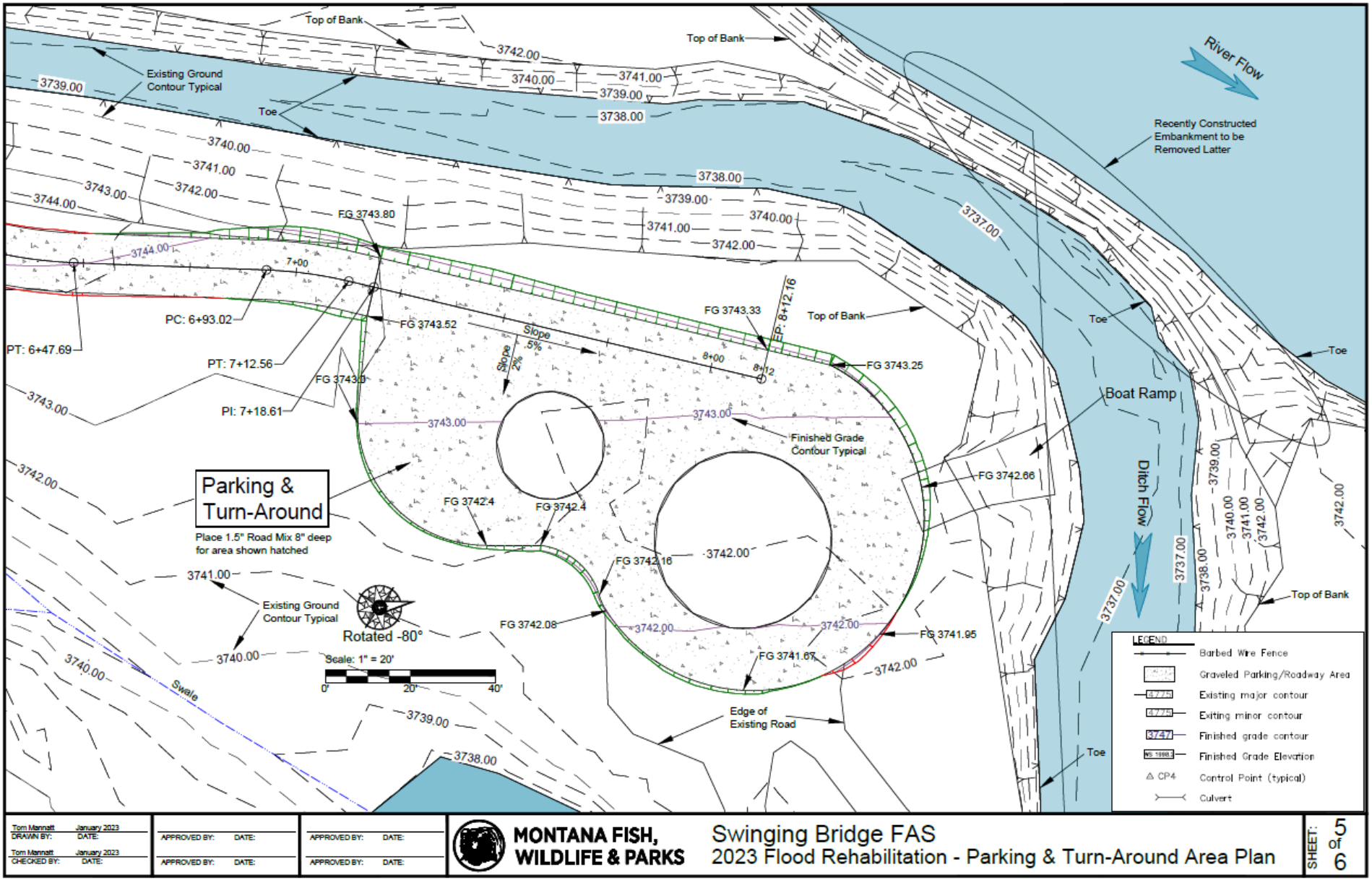
Note:
FG = Finished Grade
EG = Existing Ground

Tom Mannatt DRAWN BY:	January 2023 DATE:	APPROVED BY:	DATE:	APPROVED BY:	DATE:
Tom Mannatt CHECKED BY:	January 2023 DATE:	APPROVED BY:	DATE:	APPROVED BY:	DATE:

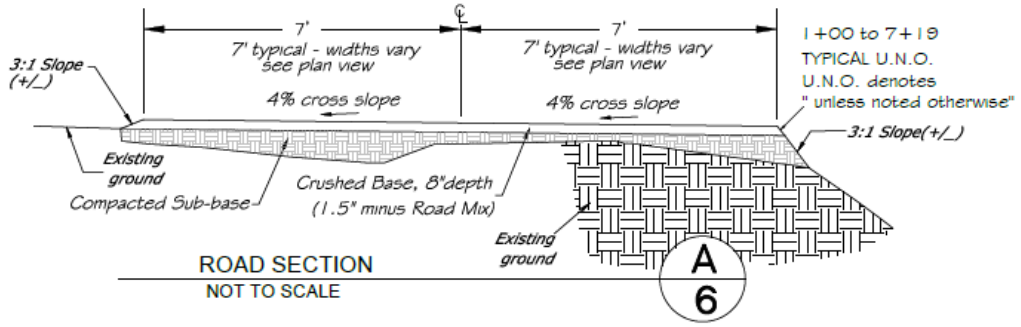
MONTANA FISH, WILDLIFE & PARKS

Swinging Bridge FAS
2023 Flood Rehabilitation - Access Road Plan & Profile

SHEET: 4 of 6

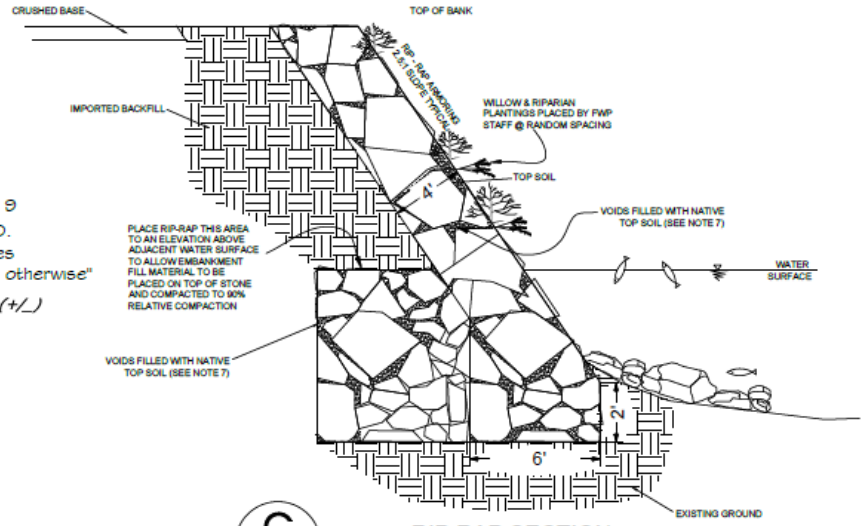

Top of Bank
Existing Ground Contour Typical
Toe
River Flow
Recently Constructed Embankment to be Removed Latter
FG 3743.80
PC: 6+93.02
PT: 6+47.69
PT: 7+12.56
PI: 7+18.61
FG 3743.52
FG 3743.33
EP: 8+12.16
Slope 5%
Slope 2%
FG 3743.25
Boat Ramp
Finished Grade Contour Typical
Parking & Turn-Around
Place 1.5" Road Mix 8" deep for area shown hatched
FG 3742.4
FG 3742.66
Ditch Flow
FG 3742.16
FG 3742.08
FG 3741.95
FG 3741.67
Rotated -80°
Scale: 1" = 20'
Swale
Edge of Existing Road
Top of Bank
Toe
LEGEND
Barbed Wire Fence
Graveled Parking/Roadway Area
Existing major contour
Exiting minor contour
Finished grade contour
Finished Grade Elevation
CP4 Control Point (typical)
Culvert
Tom Mannatt January 2023
DRAWN BY: DATE:
CHECKED BY: DATE:
APPROVED BY: DATE:
MONTANA FISH, WILDLIFE & PARKS
Swinging Bridge FAS
2023 Flood Rehabilitation - Parking & Turn-Around Area Plan
SHEET: 5 of 6

TYPICAL SECTION NO. 1 - River Access Road w/ Crushed Base



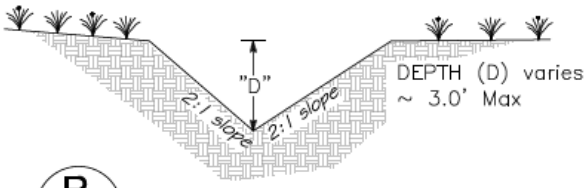
ROAD SECTION
NOT TO SCALE

A
6



C
6

RIP RAP SECTION
NOT TO SCALE



B
6

SWALE SECTION
NOT TO SCALE

RIP RAP SECTION NOTES:

1. Riprap Materials: Provide in accordance with State of Montana Transportation standards for Class III Riprap. 4' diameter allowing 40% smaller by weight.
2. Provide stone that is hard, durable and angular in shape, resistant to water action and weathering, free from overburden, spoil, shale, structural defects and organic material.
3. Each stone must have its greatest dimension not greater than three times its least dimension.
4. Do not use rounded stone or boulders from a streambed source as rip-rap. Do not use shale or stones with shale seams.
5. Angular faces of stones shall inter-lock to provide stable surface.
6. Installed Thickness: 4 ft average & 6 ft at toe
7. Fill voids with top soil stored from site excavation. Attempting to fill voids by dumping top soil over the completed riprap section will not be allowed.The top soil shown hereon shall be placed progressively along with the riprap placement process.

Tom Mannatt January 2023 DRAWN BY: DATE:	APPROVED BY: DATE:	APPROVED BY: DATE:	MONTANA FISH, WILDLIFE & PARKS	Swinging Bridge FAS 2023 Flood Rehabilitation - Details
Tom Mannatt January 2023 CHECKED BY: DATE:	APPROVED BY: DATE:	APPROVED BY: DATE:		SHEET: 6 of 6

Appendix II. Potential Occurrence of Species of Concern

Species Group	Common Name	Scientific Name	Habitat	Global Rank	MT State Rank
Amphibians	Northern Leopard Frog	Lithobates pipiens	Wetlands, floodplain pools	G5	S1,S4
Amphibians	Great Plains Toad	Anaxyrus cognatus	Wetlands, floodplain pools	G5	S2
Birds	Lewis's Woodpecker	Melanerpes lewis	Riparian forest	G4	S2B
Birds	Harlequin Duck	Histrionicus histrionicus	Mountain streams	G4	S2B
Birds	Chestnut-collared Longspur	Calcarius ornatus	Grasslands	G5	S2B
Birds	Mountain Plover	Charadrius montanus	Grasslands	G3	S2B
Birds	Piping Plover	Charadrius melodus	Prairie lakes and river shorelines	G3	S2B
Birds	Caspian Tern	Hydroprogne caspia	Large rivers, lakes	G5	S2B
Birds	Northern Goshawk	Accipiter gentilis	Mixed conifer forests	G5	S3
Birds	Clark's Nutcracker	Nucifraga columbiana	Conifer forest	G5	S3
Birds	Northern Hawk Owl	Surnia ulula	Conifer forest	G5	S3
Birds	Trumpeter Swan	Cygnus buccinator	Lakes, ponds, reservoirs	G4	S3
Birds	Yellow-billed Cuckoo	Coccyzus americanus	Prairie riparian forest	G5	S3B
Birds	Red-headed Woodpecker	Melanerpes erythrocephalus	Riparian forest	G5	S3B
Birds	American White Pelican	Pelecanus erythrorhynchos	Lakes, ponds, reservoirs	G4	S3B
Birds	White-faced Ibis	Plegadis chihi	Wetlands	G5	S3B
Birds	Brewer's Sparrow	Spizella breweri	Sagebrush	G5	S3B
Birds	American Bittern	Botaurus lentiginosus	Wetlands	G5	S3B
Birds	Loggerhead Shrike	Lanius ludovicianus	Shrubland	G4	S3B
Birds	Ferruginous Hawk	Buteo regalis	Sagebrush grassland	G4	S3B
Birds	Baird's Sparrow	Centronyx bairdii	Grasslands	G4	S3B

Birds	Burrowing Owl	Athene cunicularia	Grasslands	G4	S3B
Birds	Thick-billed Longspur	Rhynchophanes mccownii	Grasslands	G4	S3B
Birds	Sprague's Pipit	Anthus spragueii	Grasslands	G3G4	S3B
Birds	Common Tern	Sterna hirundo	Large rivers, lakes	G5	S3B
Birds	Forster's Tern	Sterna forsteri	Wetlands	G5	S3B
Birds	Black Tern	Chlidonias niger	Wetlands	G4G5	S3B
Birds	Horned Grebe	Podiceps auritus	Wetlands	G5	S3B
Birds	Clark's Grebe	Aechmophorus clarkii	Lakes, ponds, reservoirs	G5	S3B
Birds	Common Loon	Gavia immer	Mountain lakes w/ emergent veg	G5	S3B
Birds	Sharp-tailed Grouse	Tympanuchus phasianellus	Shrub grassland	G5	SX,S4
Invertebrates	Suckley Cuckoo Bumble Bee	Bombus suckleyi	Montane/steppe grassland and shrubland	G2G3	S1
Invertebrates	Gray Comma	Polygonia progne	Deciduous woodland, riparian woodland, aspen parkland	G5	S2
Invertebrates	Gillette's Checkerspot	Euphydryas gillettii	Wet meadows	G3	S2
Mammals	Black-footed Ferret	Mustela nigripes	Grasslands	G1	S1
Mammals	Bison	Bos bison	Grasslands	G4	S2
Mammals	Dwarf Shrew	Sorex nanus	Rocky habitat	G4	S2S3
Mammals	Grizzly Bear	Ursus arctos	Conifer forest	G4	S2S3
Mammals	Townsend's Big-eared Bat	Corynorhinus townsendii	Caves in forested habitats	G4	S3
Mammals	Fringed Myotis	Myotis thysanodes	Riparian and dry mixed conifer forest	G4	S3
Mammals	Merriam's Shrew	Sorex merriami	Sagebrush grassland	G4	S3
Mammals	Long-eared Myotis	Myotis evotis	Forest	G5	S3
Mammals	Little Brown Myotis	Myotis lucifugus	Generalist	G3G4	S3
Mammals	Long-legged Myotis	Myotis volans	Conifer forest	G4G5	S3

Mammals	Spotted Bat	Euderma maculatum	Cliffs with rock crevices	G4	S3
Mammals	Swift Fox	Vulpes velox	Grasslands	G3	S3
Mammals	Eastern Red Bat	Lasiurus borealis	Riparian forest	G3G4	S3B
Reptiles	Western Milksnake	Lampropeltis gentilis	Rock outcrops	G5	S2
Reptiles	Plains Hog-nosed Snake	Heterodon nasicus	Friable soils	G5	S2
Reptiles	Snapping Turtle	Chelydra serpentina	Prairie rivers and streams	G5	S3
Reptiles	Spiny Softshell	Apalone spinifera	Prairie rivers and larger streams	G5	S3
Plants	Desert Groundsel	Senecio eremophilus	Wetland/Riparian	G5	S1S2
Plants	Letterman's Needlegrass	Stipa lettermanii	Talus and Grasslands (low-elevation)	G5	S1S3
Plants	Fleshy Stitchwort	Stellaria crassifolia	Wetland/Riparian	G5	S2
Plants	Spiny Hopsage	Grayia spinosa	Shrublands (Dry)	G5	S2
Plants	Hutchinsia	Hornungia procumbens	Sagebrush Steppe	G5	S2
Plants	Long-sheath Waterweed	Elodea bifoliata	Wetland/Riparian (Shallow water)	G4G5	S2?
Plants	Panic Grass	Dichanthelium acuminatum		G5	S2S3
Plants	Giant Helleborine	Epipactis gigantea	Wetland/Riparian	G4	S2S3
Plants	Crawe's Sedge	Carex crawei	Wetland/Riparian	G5	S2S3
Plants	Scribner's Ragwort	Senecio integerrimus var. scribneri		G5T2T3	S2S3
Plants	Parry's Fleabane	Erigeron parryi	Slopes and ridges (Open, Montane)	G2G3	S2S3
Plants	Mat Buckwheat	Eriogonum caespitosum	Sagebrush steppe (Montane)	G5	S2S3
Plants	Double Bladderpod	Physaria brassicoides	Breaklands/badlands	G5	S3
Plants	Beaked Spikerush	Eleocharis rostellata	Wetlands (Alkaline)	G5	S3
Plants	Slim-pod Venus'-looking-glass	Triodanis leptocarpa		G5?	S3
Plants	Floriferous Monkeyflower	Mimulus floribundus		G5	SH

Plants	Persistent-sepal Yellow-cress	Rorippa calycina	Wetland/Riparian	G3	SH

Appendix III. Species of Concern Observed List

Species Group	Common Name	Habitat	Distribution	Global Rank	MT State Rank
Birds	Pinyon Jay	Open conifer forest	Resident Year Round	G3	S3
Birds	Great Blue Heron	Riparian forest	Resident Year Round	G5	S3
Birds	Golden Eagle	Grasslands	Resident Year Round	G5	S3
Birds	Cassin's Finch	Drier conifer forest	Resident Year Round	G5	S3
Birds	Black-billed Cuckoo	Riparian forest	Migratory Summer Breeder	G5	S3B
Birds	Green-tailed Towhee	Shrub woodland	Migratory Summer Breeder	G5	S3B
Birds	Veery	Riparian forest	Migratory Summer Breeder	G5	S3B
Mammals	Hoary Bat	Riparian and forest	Migratory Summer Breeder	G3G4	S3B
Reptiles	Greater Short-horned Lizard	Sandy / gravelly soils	Resident Year Round	G5	S3
Vascular Plants	Pale Duckweed		Present	G5	S1